CHIEF SECRETARIAT

Dated 28th August 1945.

No. W. 392—W. 1-45-12. The following Notification No. 93 (19)-E. T. (A)—45, dated the 4th August 1945, of the Government of India, Department of Commerce, is published for general information.

1386 V. VEDAVYASACHARYA, *Chief Secy.*

GOVERNMENT OF INDIA.

Department of Commerce.

ENEMY TRADING.

Permit.

New Delhi, the 4th August 1945.

No. 93 (19)-E. T. (A)—45—With reference to sub-rules (1) and (3) of rule 104 of the Defence of India Rules and in partial modification of the notification of the Government of India in the Department of Commerce No. 93 (25)-E. T. (A)—42, dated the 21st November 1942, the Central Government is pleased—

(1) to permit all persons to have commercial and financial dealings with the enemy firm of Dr. Robert Huber, Bombay, and

(2) to direct that the trading activities of the said firm shall be confined to India, the United Kingdom, the United States of America and the Union of South Africa,

Y. N. Sukthankar, Joint Secy.

Dated 28th August 1945.

No. 644—C. B. 316-44-14. In continuation of the Government Notification No. 401—C. B. 316-44-10, dated the 10th August 1945, publishing the names of text books in Kannada, Sanskrit and Persian for the ensuing Mysore Civil Service Examination, the following list of Text Books prescribed in English Literature for Paper IV in Part I of the Examination is published for information.

1.	Shakespeare	... Hamlet.
2.	Johnson	... Life of Milton (Goggin).
3.	Scott	... Quentin Durward (O. U. P.)
4.	Palgrave	... Golden Treasury, Book IV Edited by Fowler.

1382 V. VEDAVYASACHARYA, *Chief Secy.*

GENERAL SECRETARIAT

Dated 27th August 1945.

No. T. 582—R. T. 46-44-12. The following is republished for general information.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

"WAR TRANSPORT DEPARTMENT.

NOTIFICATION.

New Delhi, the 19th April 1945.

No. 52-LPC (2)/5—Spark Plugs.—In exercise of the powers conferred by sub-clause (1) (*b*) of clause 4 of the Motor Vehicle Spare Parts Control Order, 1944, and in supersession of all previous orders on the subject, the Central Government is pleased to specify the maximum retail sale price of spark plugs as follows :—

A. C., A. C., Sphinx Champion and Lodge spark plugs.	Rs. 48 per dozen
Ant-lite	Rs. 32 per dozen
Borg-Warner	
Trojan	
Triumph	
Defiance	
Blue Crown	
Firestone	
Reflex and other makes of spark plugs ...	

D. R. Rutnam, Joint Secy.

With reference to sub-rule (1) of rule 119 of the Defence of India Rules, the Central Government is pleased to direct that the above order shall be published in the Gazette of India and in the official Gazette of each Province, and that a copy of the order shall also be forwarded by War Transport Department to each of the scheduled distributors, registered dealers and approved sub-dealers appointed under the Motor Vehicle Spare Parts Control Order, 1944, and other dealers in motor vehicle spare parts on whom a special order has been served under sub-rule (2) of Rule 81 of the Defence of India Rules.

1364 D. R. Rutnam, Joint Secy."

Dated 28th August 1945.

No. S. R. 899 L. W.—12-45-2. Under Section 12 (4) of the Mysore Labour Act XIII of 1942, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information the accompanying report of the Chief Conciliator in Mysore in the matter of the Industrial dispute between the Management and Labour Association of the Gaffar Beedi Factory, Mysore, on the question of payment of compensation, opening of Branch Factories, etc.

MOHAMED ISMAIL SHERIFF, *Gl. Secy.*

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE, BANGALORE.

No. C. C. 35—44, dated the 22nd August 1945.

From

M. Navaneetham Naidu, Esq., B.A., B.L.,
Chief Conciliator in Mysore.

To

Mohamed Ismail Sheriff, Esq., B.A.,
General Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

I have the honor to make the following report, under Section 12 (4) of the Mysore Labour Act, relating to a dispute between the Gaffar Beedi Factory Labour Association, Mysore, and the concerned Beedi Factory, in regard to certain demands (*re* the payment of compensation, opening of Branch Factories, etc.) made by the Association.

2. The President of the said Labour Association gave a notice of change, dated 2nd December 1944 to the Management and then sent a letter dated 26th December 1944, amending the notice of change and informing that the subjects for the notice of change should read as detailed below:—

"(1) Illegal lock-out on 25th November 1944 in spite of the intimation of resumption of work by us on 23rd November 1944, and compensation for the period thereof, being a continuation of the illegal lock-out on 21st September 1944."

"(2) Opening of Branches in various parts of the City and even outside."

"(3) Illegal dismissal of the Secretary, Mr. R. Mahamad Khan which need not be considered in this notice of change as it was referred to the Chief Conciliator and has been duly published in the Gazette of 22nd December 1944."

"(4) Immediate framing of the standing orders and sending us a copy to facilitate discussions and early settlement."

"(5) That you (Proprietor of the Factory) give wide publicity through the local newspapers, Kannada, English and Urdu, and printing notices for the information of such of the workers as have gone out, intimating the date on which the Factory will be thrown open, as was desired in our letter of 23rd November 1944 and that such notices be pasted outside the Factory gates for the information of the workers."

The Factory Proprietor sent a reply to the first notice of change (dated 2nd December 1944) thus:—

"Acknowledging receipt of your notice of change, dated the 2nd instant, we write to inform you that the notice presumes the cessation of work in our Factory to be a lock-out which has been enquired into, decided and declared by the Registrar of Associations to be an illegal strike under the Mysore Labour Act, 1942, as it really is. Hence the notice is irrelevant and has no bearing."

For the amended notice of change the Proprietor replied thus:—

"Acknowledging receipt of the amendment on 28th December 1944 at 5-15 P.M. we write to inform you that we have nothing to add to our letter No. 63, dated the 8th instant."

The Commissioner of Labour, referred the matter to this office for initiating conciliation proceedings under Section 10 (3) of the Labour Act, as the Assistant Commissioner of Labour, Mysore, could not bring about an agreement between the parties.

The case was registered and it was posted for hearing at Mysore. After intimations to the parties, the case was taken up on the 2nd and also on the 3rd August 1945 at Mysore camp.

The Labour Association was represented by Mr. M. N. Ugrappa, Vice-President of the Association, while the Proprietor of the Factory was represented by the Manager (Mr. A. R. Shereef).

The Assistant Commissioner of Labour (Mr. G. N. Puttanna), Mysore, was also present throughout.

The demands under reference were considered one by one, with the result noted below:—

Subject No. (1) *above.*

The Factory Management raised in the correspondence the following contentions in this respect:—

(*a*) that this Labour Association has to be presumed as having ceased to exist inasmuch as the labourers represented by this Association commenced a strike on 21st September 1944 and are still continuing a strike even after the Registrar of Associations declared (on 2nd November 1944) the strike as illegal;

(*b*) that, further, these workers have since taken up work in other Beedi Factories and did not come back to this Factory for work;

(*c*) that, as such, the notice of change under reference is not valid and cannot be considered by the Management.

The Labour Representative argues that the contentions of the Management cannot be accepted and that it is not a case of strike by the workers but one of illegal lock-out by the Management and that the Association had brought this to the notice of the Registrar and asked for a declaration.

It was pointed out that this question of 'strike' according to the Management, and of lock-out' according to the Association has been considered and disposed of by the Registrar of Associations on the applications received from each side for a declaration. The Registrar has declared (on 2nd November 1944) the cessation of work in this factory as an illegal strike by the employees and there is no declaration given that there is a 'lock-out' by the Management. On the first application of the Association (dated 15th October 1944 and received on 24th October 1944) to declare it as an 'illegal lock-out' by the Management, the Registrar has on examination of the question, held (on 27th October 1944) that the cessation of work in the factory cannot be considered to be in pursuance of lock-out and that the question of lock-out does not arise. On the next application of the Association (dated 30th December 1944 and received on 8th January 1945) to declare it as an illegal lock-out, the Registrar has replied that no such declaration could be given in the absence of sufficient material. There has been no further application from the Association for the lock-out declaration. The question of lock-out declaration does not arise now after the lapse of so many months.

In the present demand No. 1, the Association seeks to question the correctness of the Registrar's decisions and to assume an illegal lock-out on the part of the Management. That would be going beyond the scope of the conciliation proceedings.

In the circumstances, it was pointed out to the Labour Representative that this is not a proper demand for conciliation proceedings. He, however, presses the demand. The Management's representative says, it cannot be accepted. So no agreement possible in this subject.

Subject No. 2 *above.*

The Association representative urges that the Proprietor of the Factory should not open branches in various parts of the City or even outside. The Management does not agree as it is purely a business matter to be left to the Proprietor's discretion. The Association presses the demand. The management representative says, it cannot be accepted. So no agreement possible on this subject.

Subject No. 3 *above.*

As this matter has already been disposed of, the Association has withdrawn this demand.

Subject No. 4 *re* Standing Orders.

This demand relating to the question of framing Standing Orders does not come for conciliation proceedings, as the matter is one to be settled by the Labour Commissioner. It is said that the Management has sent a draft of Standing Orders, in English and that the preparation of a copy in Kannada is pending. This is pointed out to the Association's representative. Still, he presses the demand. No agreement is possible.

Subject No. 5.

The Association wants the proprietor to publish in the newspapers, and by printed notices for the information of the workers the date on which the factory will be thrown open. According to the Management, this question does not arise and the position is as noted above under subject No 1 and there is no lock-out or closing of the Factory by the Management. The Association Representative presses this subject, but the Management cannot accept it. Hence no agreement is possible on this demand either.

All possible ways of settlement were explored, but the parties did not come to a settlement in regard to these demands No. (1), (2), (4) and (5).

The proceedings in regard to these demands thus ended in failure, which I hereby report.

I request that this report may be published in the Gazette, as required in sub-section (4) of Section 12 of the Mysore Labour Act.

I have the honour to be,
Sir,
Your most obedient servant,

1380 NAVANEETHAM,
Chief Conciliator.

DEVELOPMENT SECRETARIAT

Official Memorandum dated 27-28th August 1945.

No. D. 1395 (6)—I. & C. 43-44-28. The application form for registration of Post-war orders for capital goods as amended and issued by the Government of India is republished for general information. This form supersedes the form previously republished on pages 84-85, Part III-1 of the *Mysore Gazette*, dated 15th February 1945.

1392 C. E. NORONHA, *Dev. Secy.*

Application for Registration of Post-War Orders for Capital Goods.

(To be addressed to the Chief Controller of Imports, New Delhi, in duplicate).

1 Particulars of applicant:—

Name.....
Address (postal).....
(telegraphic).....

1-A. Name of directors or partner, if any, of the concern for which the goods are required .....

2 Country from which goods are to be supplied. .....

3 Description of goods (with number or quantity). .....

.....

.....

.....

4 Part and Serial No. in Schedule to Notification No. 23—I. T. C.—43, dated 1st July 1943, or Serial No. in the Schedule to the Machine Tool Control Order, 1941. .....

5 Approximate value of goods—
(i) F. O. B. ... ...
(ii) C. I. F. (in Rupees) ... .

6 Estimated gross weight (with packing) in tons (of 2,240 lbs.) .....

7 Name and address of manufacturer... .....

8 Name and address of supplier or merchant, in the country mentioned against item 2 above, on whom the order has been or will be placed. .....

9 Has order already been placed on supplier? If so, state number and date of order and of its acceptance, if any. .....

10 Half-yearly period (January-June or July-December 19) during which shipment of the goods is desired (The time likely to be required for manufacture should be taken into consideration). .....

11 Financial year (*i.e* year ending 31st March) during which payment is likely to be required. .....

12 Purpose for which goods are required:—
(a) Replacement of machinery for maintenance of existing plant; if so when was the plant installed and when was the machinery in question last replaced? .....
(b) Expansion of existing plant; if so what is the capacity of existing plant and what will be the capacity of the expanded plant. .....
(c) New industrial undertaking; if so, what is to be the capacity of the plant. .....
(d) For stock and sale ... .

13 Where are the goods to be installed or used? .....

*14 Do the goods covered by this application form a complete order or only an instalment?
If the latter, state—
(a) the extent of the instalment .....
(b) the extent of the full order ... .
(c) date of any connected application for registration. .....

15 In the case of goods falling under 12 (a), (b) or (c) what products are to be manufactured with the machinery in question? .....